THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.6819 of 2007

Date 05.04.2007

Between:
Chitteti Pondaiah.

..... PETITIONER

AND

The Govt. of A.P. rep. By its Secretary, Home, Secretariat, Hyderabad & others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.6819 of 2007

O R D E R:

It is the case of the petitioner that on a written complaint lodged by him alleging that one Sri Daggumati Subba Reddy and Sri Daggumati Adisesha Reddy had committed a cognizable offence punishable under Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short 'the Act') and Section 323 IPC, the fifth respondent registered a Cr.No.10 of 2007 on the file of Kaligir Police Station, Nellore District. The grievance of the petitioner is that even though Crime No.10 of 2007 was registered on 14-02-2007 against the above accused, in spite of elapse of a period of one month, respondents 4 and 5 have not completed the investigation and, therefore, the petitioner seeks to issue a Mandamus to arrest the above accused.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

Having regard to the facts and circumstances of the case, I am of the opinion that whenever a cognizable offence punishable under Section 3(i)(x) of the Act is committed, it is for the police to conduct necessary enquiry and take appropriate action, in accordance with law, but the petitioner cannot seek a direction to direct the investigating officer to arrest the accused. However, it is the duty of the police to investigate into the crime registered under the provisions of the Act, as expeditiously as possible, preferably, within a period of one month. Hence, respondents 3 to 5 are directed to expedite the investigation in Crime No.10 of 2007 and take appropriate action as expeditiously as possible.

The Writ Petition is accordingly disposed of. No order as to costs.

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05-04-2007

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